

1  
2  
3  
4  
5 UNITED STATES DISTRICT COURT  
6 DISTRICT OF NEVADA  
7

8 \* \* \*

9 UNITED STATES OF AMERICA ,

Case No. 2:92-cr-00181-JCM-NA-1

10 Plaintiff,

11 v.

ORDER

12 RAMON EDMOND,

13 Defendant.  
14

15 Presently before the court is defendant Ramon Edmond's ("defendant") second motion  
16 for early termination of supervised release. (ECF No. 412). The United States of America ("the  
17 government") filed a "non-opposition" response to defendant's motion. (ECF No. 414).

18 On May 13, 1993, after a jury trial, defendant was found guilty of conspiracy, armed  
19 robbery, use of a firearm during and in relation to a crime of violence, and felon in possession of  
20 a firearm. (ECF No. 336) (citing (ECF No. 120)). On July 14, 1995, the court sentenced  
21 defendant to 295 months imprisonment. (ECF No. 382-1). Defendant began his term of  
22 supervised release on July 3, 2014. (ECF No. 382). With less than six months left on his term of  
23 supervision, defendant filed the instant motion for early termination of supervised release. *Id.*

24 Pursuant to 18 U.S.C. § 3583(e), the court may, after considering the factors set forth in  
25 18 U.S.C. § 3553(a), terminate supervised release after one year "if it is satisfied that such action  
26 is warranted by the conduct of the defendant released and the interest of justice." 18 U.S.C. §  
27 3583(e)(1). Those factors include, *inter alia*, "the nature and circumstances of the offense and  
28 the history and characteristics of the defendant" and "the kinds of sentence and the sentencing

1 range established for the applicable category of offense committed by the applicable category of  
2 defendant.” 18 U.S.C. §§ 3553(a)(1), (4).

3 Here, defendant indicates that he has been compliant with his conditions of supervised  
4 release, is self-employed as a business owner, and maintains a stable residence with his wife.  
5 (ECF No. 412). However, defendant has failed to demonstrate why early termination is in the  
6 interest of justice. Indeed, compliance with the terms of supervised release is what is expected of  
7 a defendant on supervised release and does not alone constitute an adequate basis for  
8 termination. *United States v. Smith*, No. 2:09-CR-00218-KJD, 2015 WL 3797435, at \*2 (D.  
9 Nev. June 17, 2015).

10 Moreover, while the court acknowledges defendant’s gainful employment and positive  
11 strides, the court must consider the nature and circumstances of plaintiff’s underlying offense,  
12 and the “history and characteristics of the defendant.” 18 U.S.C. §§ 3553(a)(1). In reviewing  
13 defendant’s history, the court notes that in August of 2016, probation filed a form 12C petition  
14 for warrant for offender under supervision. (ECF No. 382). Probation stated that defendant  
15 committed three violations: (1) shall not commit crime; (2) be truthful; and (3) shall not associate  
16 with criminals. *Id.*

17 The petition alleges that on July 31, 2016, defendant committed the offense of battery  
18 with a deadly weapon, in violation of NRS 200.481 (a class B felony). *Id.* Defendant allegedly  
19 intentionally struck another vehicle at least six times with his vehicle while chasing the fleeing  
20 vehicle through North Las Vegas. *Id.*


21 On January 9, 2017, in a hearing regarding revocation of supervised release, defendant’s  
22 counsel stated that the state charges against defendant had been dropped. (ECF No. 399). As the  
23 government did not object to dismissal of the petition, the court dismissed the petition without  
24 prejudice and continued defendant on his existing supervised release with all previous conditions  
25 in place. *Id.*

26 The court considered defendant’s underlying offense and the subsequent petition for  
27 revocation when it denied defendant’s previous motion for early termination. (ECF No. 410). It  
28 will do so again here. Indeed, defendant’s motion does not detail the underlying conduct,

1 discussed above, which demonstrates that early termination of supervision is not appropriate.  
2 Defendant's motion is denied.

3 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendant's motion for  
4 early termination of supervised release (ECF No. 412) be, and the same hereby is, DENIED.

5 DATED THIS 16<sup>th</sup> day of April 2019.

6  
7   
8 JAMES C. MAHAN  
9 UNITED STATES DISTRICT JUDGE  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28